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marker in accordance with the template on a surface. The method also includes the step of automatically operating the motor controller to form an accurate template as the angle and distance device 15d is rotated and the tape is extended and retracted to critical features of an area at step 506. The method further includes the step of recording data with the motor controller at step 508 and creating an electronic version of the template at step 510, wherein the template comprises a picture. Additionally, the method includes the step of moving the marker with the motor controller in accordance with the template on a surface at step 512 and automatically operating the motor controller to draw the template on a work piece at step 514.--

In the Claims:

Please amend claims 9, 12, 16, 25, 26, 30 and 40 as follows.

Sub D1
9. (Twice Amended) A measuring and layout device comprising:
a stationary member having a flat surface adapted to be marked on; and
an angle and distance device rotatably attached to the stationary member, the angle and distance device including a longitudinally and laterally rigid extendable tape that can be extended from a central point and an edge that facilitates reliably marking on the stationary member to form an accurate template as the angle and distance device is rotated and the tape is extended and retracted to critical features of an area;

wherein the template is formed by markings written directly onto the stationary member.

C4
10. (Twice Amended) The measuring and layout device of claim 12, wherein:
the template is formed by markings written onto a paper placed on the stationary member.

Sub D2
12. (Twice Amended) A measuring and layout device comprising:
a stationary member having a flat surface adapted to be marked on; and

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Sub D2 (cont'd)
~~an angle and distance device rotatably attached to the stationary member, the angle and distance device including a longitudinally and laterally rigid extendable tape that can be extended from a central point and an edge that facilitates reliably marking on the stationary member to form an accurate template as the angle and distance device is rotated and the tape is extended and retracted to critical features of an area;~~

~~wherein the stationary member has a substantially semi-circular configuration.~~

16. (Twice Amended) A measuring and layout device comprising:

~~a stationary member having a flat surface adapted to be marked on; and~~

~~an angle and distance device rotatably attached to the stationary member, the angle and distance device including a longitudinally and laterally rigid extendable tape that can be extended from a central point and an edge that facilitates reliably marking on the stationary member to form an accurate template as the angle and distance device is rotated and the tape is extended and retracted to critical features of an area;~~

~~wherein the tape has a pivotal pointer at a distal end.~~

25. (Amended) A method of measuring and laying out an area comprising:

~~providing a stationary member having a flat surface adapted to be marked on;~~

~~rotatably attaching an angle and distance device to the stationary member, the angle and distance device including a longitudinally and laterally rigid extendable tape that can be extended from a central point and an edge that facilitates reliably marking on the stationary member; and~~

~~forming an accurate template by reliably marking on the stationary member as the angle and distance device is rotated and the tape is extended and retracted to critical features of the area.~~

26. (Amended) A measuring and layout device comprising:

~~a stationary member having a flat surface adapted to be marked on;~~

~~an angle and distance device rotatably attached to the stationary member, the angle and~~

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C7
distance device including a longitudinally and laterally rigid extendable tape that can be extended from a central point and an edge that facilitates reliably marking on the stationary member to form an accurate template as the angle and distance device is rotated and the tape is extended and retracted to critical features of an area; and

a motor and motor controller operably connected to the longitudinally and laterally rigid tape for extending, retracting and axially rotating the tape;

the motor controller being programmed to record data and create an electronic version of the template.

Sub D
30. (Amended) A measuring and layout device comprising:
a stationary member having a flat surface adapted to be marked upon;
a carrier rotatably attached to the stationary member; and
an extendable tape connected to the carrier, the tape being configured to be extended from the carrier, the tape including an edge that facilitates reliably marking on the stationary member to form an accurate template as the carrier is rotated and the tape is extended and retracted to critical features of an area;

wherein the carrier includes a tape extender for mechanically extending the tape, thereby allowing a single person to create the template while staying in a single central location

C9
40. (Amended) The method of measuring and laying out of claim 17, further including:
rotatably attaching a carrier to the stationary member; and
connecting the tape measure to the carrier.

C10
68. (Amended) A method of measuring and laying out an area comprising:
providing a stationary member having a flat surface adapted to be marked on;
rotatably coupling an angle and distance device to the stationary member, the angle and distance device including a longitudinally and laterally rigid extendable tape that can be

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extended from a central point and an edge that facilitates reliably marking on the stationary member; and

forming an accurate template by reliably marking on the stationary member as the angle and distance device is rotated and the tape is extended and retracted to critical features of the area; wherein

the step of forming an accurate template includes writing a distance of the tape from the stationary member to the critical feature on the stationary member and writing angle information on the stationary member signifying an angle of the tape relative to the stationary member.

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